REMARKS

Claims 1-6 and 8-15 are under consideration in the above-captioned application, with original claims 16-24 withdrawn due to a restriction requirement. Claims 1 and 15 are amended herein, in order to more clearly define and fully protect Applicant's invention. Reconsideration and allowance of claims 1-6 and 8-15 is respectfully requested.

All pending claims stand rejected under 35 U.S.C. §103(a) over Kalback (U.S. 5,198,101). However, since Kalback does not render obvious the inventions of the rejected claims, this rejection should be withdrawn.

As previsouly noted, and acknowledged in prior Patent Office communications, Kalback relates to anisotropic mesophase pitch, as opposed to the invention of the rejected claims, which relates to a non-mesophase pitch. Claims 1 and 15 have been amended herein to more clearly specify that the soft pitch used in the inventive method is a non-mesophase pitch formed from coal tar, highlighting the patentable distinction between the rejected claims and Kalback.

More particularly, the Kalback patent relates to the use of gas sparge in combination with an a metal alkylaryl sulfonate to convert heavy aromatic hydrocarbon, in particular pitches to anisotropic or mesophase pitch. As pointed out

in two of the prior art references discussed in Kalback (U.S. 3,974,264 and U.S. 4,026,788) at col. 1, lines 44-48, the inert gas sparge is used to remove low molecular weight components of an isotropic pitch and to facilitate the development of mesophase. The purpose of the inert gas sparge is to aid in mesophase development. There is no indication on the use of gas sparge to control final softening point or flash points in isotropic, non-mesophase pitches. Oxidative gases can also be used in the patent of Kalback. In this respect it would not have been obvious from Kalback to sparge low softening points pitches derived from coal tar, which is not a heavy aromatic hydrocarbon, in order to achieve the proper balance of flash point and softening point in an isotropic non-mesophase pitch.

The Office Action asserts that Kalback describes heating coal tar at 270 - 425°C for 4 to 10 hours. In fact, at col. 3, line 51 - col. 4 line 2, the Kalback patent describes heating coal-derived heavy aromatic distillates from 350 to 450°C. Coal tar is not a heavy aromatic distillate and contains significant light materials. The heavy distillates are actually the highest boiling components of coal tar. The temperatures of 350-450°C are reaction temperatures used to produce mesophase and it is necessary to remove the high molecular weight components from the heavy distillates.

Accordingly, Kalback cannot suggest the invention of the rejected claims, especially as amended herein. The entire thrust of Kalback relates to anisotropic,

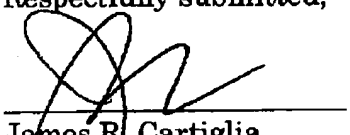
mesophase pitch products, which is entirely different from, and not suggestive of, isotropic, non-mesophase pitch.

CONCLUSION

Based on the foregoing amendments and remarks, it is believed the above-captioned application is now in condition for allowance. Such action is earnestly sought. If there remains any matter which prevents the allowance of any of claims 1-6 and 8-15, the Examiner is requested to call the undersigned collect at 615.242.2400 to schedule an interview which may further expedite prosecution.

Applicant hereby petitions for an extension of time of two months to respond to the outstanding Office Action, extending the time to respond to August 17, 2005. The Commissioner is authorized to charge the extension fee of $450 for a two month extension, as well as any deficiency, to Deposit Account No. 21-0010.

Respectfully submitted,



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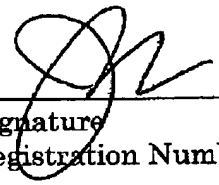
CERTIFICATE OF FACSIMILE TRANSMITTAL

I hereby certify that this Response To Office Action (9 pages) and Certificate of Facsimile Transmittal (1 page) are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 571.273.8300 on August 9, 2005.

James R. Cartiglia



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Date